

NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES

SOLID WASTE REPORT TO THE LEGISLATURE 2003

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John H. Lynch
Governor

Executive Council
Raymond S. Burton
Ruth L. Griffin
Peter J. Spaulding
Debora B. Pignatelli
Raymond J. Wieczorek

**New Hampshire Department
of Environmental Services**

Michael Nolin
Commissioner

Michael Walls, Esq.
Assistant Commissioner

Anthony P. Giunta, P.G.
Director, Waste Management Division

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2004 SOLID WASTE REPORT to the LEGISLATURE

A. Generation of Solid Waste in New Hampshire

New Hampshire's 2003 waste generation, including residential, commercial sources and construction/demolition (C&D) debris, is estimated at 1,697,300 tons, which is an 8.8 percent increase from the year 2002 generation. Broken out, residential generation was about 712,700 tons, a decrease of 2.4 percent; commercial/industrial waste (657,600 tons) increased by 11.1 percent; and C&D wastes totaled 326,900 tons, an increase of 37.4 percent from 2002. This significant increase is attributed to expanded services at existing facilities and a strong construction industry.

Generation of waste is derived from figures reported to the Department of Environmental Services (DES) in the *Annual Facility Report*, which is required by regulation of all solid waste facilities, and through informal surveys of a sampling of commercial industrial generators for whom no reporting is required.

Table 1: Generation of Solid Waste (Tons) in New Hampshire in 2003

Source of waste	2000	2001	2002	2003
Residential	698,500	752,500	730,500	712,700
Commercial/industrial	685,700	615,400	592,000	657,600
Construction & Demolition	234,000	256,600	238,000	326,900
<i>Total Tonnage</i>	<i>1,618,200</i>	<i>1,624,600</i>	<i>1,560,500</i>	<i>1,697,300</i>

Source: NHDES/SWTAS, 2004

The national per capita generation rate, as reported in 2000 by EPA, was 4.5 pounds/person/day of residential and commercial/industrial waste. New Hampshire's rate for 2002 was 5.7 pounds/person/day; in 2003, it increased to 5.8 pounds/person/day.

B. Disposal of Solid Waste in New Hampshire

In 1990, the New Hampshire Legislature adopted a hierarchy of preferred methods for solid waste management. They are from most to least preferred: source reduction; recycling and reuse; composting; waste-to-energy technologies (including incineration); incineration without resource recovery; and landfilling.

Residential and Commercial Waste

Table 2 depicts DES estimates for solid waste management in New Hampshire. These estimates are derived from two main sources, the most important being the *Annual Facility Report* mentioned above. These reports tell DES the amount of waste handled by transfer stations/recycling centers, incinerators and landfills (exclusive of any imported wastes). The information includes residential and commercial solid waste; however, the two cannot be accurately separated because most facilities manage both kinds of waste without distinction. Although data from commercial and industrial generators and from waste haulers would assist DES in a more

accurate determination of diversion rates, there is no regulatory authority to require the submittal of such information. Hence, the numbers provided in this report represent our best estimates.

**Table 2: Management of Residential and Commercial Solid Waste in 2003
(excluding construction & demolition debris and imported wastes)**

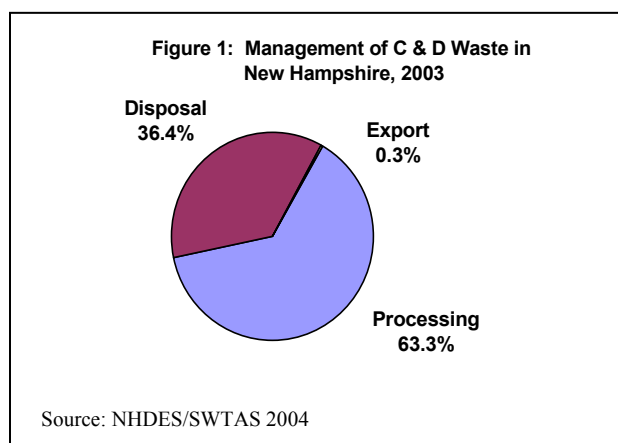
	2003 tonnage	Tonnage subtotals	2003 percentage	Percentage subtotals
Recycling	297,900		22	
Composting at solid waste facilities	35,200		3	
Diversion Subtotal:		333,100		25
Waste-to-energy in NH	238,500		18	
Incineration without energy recovery in NH	7,600		<1	
Landfilling in NH	688,200		51	
Disposal Subtotal:		934,400		69
Exports	79,400	79,400	6	6
Totals		1,346,900	100%	100%

Source: NHDES/SWTAS, 2004

DES uses the EPA methodology of calculating diversion, which includes a credit of 5% of recycling for source reduction and another 5% of recycling for reuse. These work out to a combined credit of 10% of 333,100 tons, or 33,310 tons. When these credits are applied, it raises the diversion number from 25% to 27%. These credits are not indicated on the table because these numbers are only estimates used to calculate diversion, and are not factored in the total tonnage or percentage.

Construction & Demolition Debris

In addition to the in-state generation of Construction & Demolition Debris, there were 178,800 tons of imported C&D waste, bringing the total tonnage for management in New Hampshire to 505,800. Figure 1 shows the three ways that C&D wastes were handled in 2003: 63.3 percent, or 319,300 tons, was processed; 36.4 percent (186,500 tons) was disposed of in landfills and less than 1% was exported (1,400 tons). Wastes that are processed are altered to a usable form, such as wood chips, which can then be used as a source of energy or alternative daily cover at landfills.



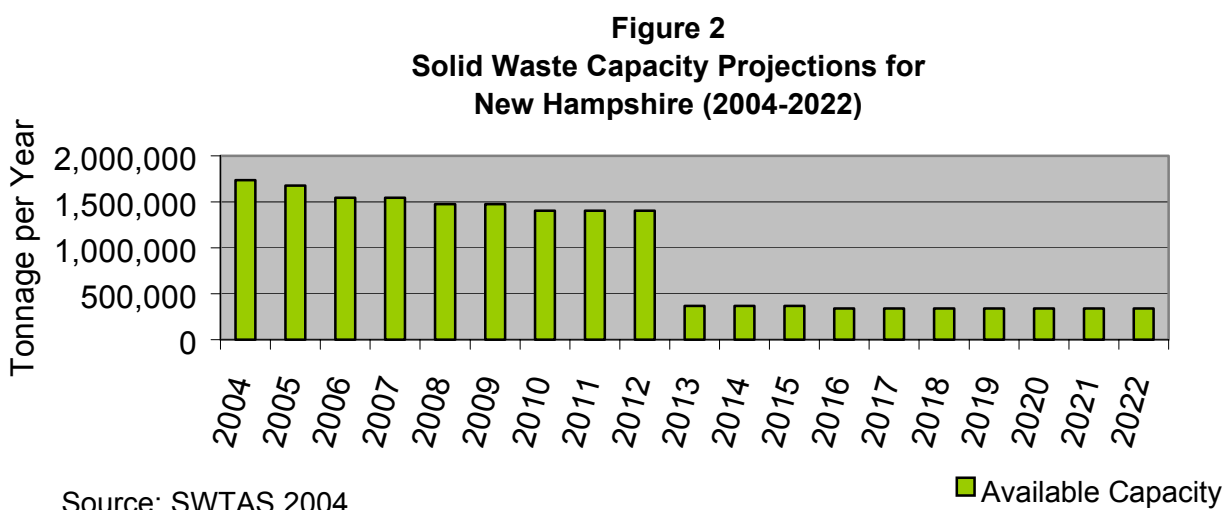
C. Projected Solid Waste Management Capacity Needs

Under the “public benefit” portion of the solid waste law, DES is required to project how much waste will be generated in New Hampshire and how much permitted capacity is available in landfills and incinerators to dispose of that waste over a 20-year period. (RSA 149-M:11 V.)

The statute further states that the department “shall assume that all unlined capacity within the state is no longer available to receive solid waste.” Simply put, it is an analysis of supply and demand: supply being how many tons the existing solid waste disposal facilities can accommodate and demand being how many tons of solid waste will need disposal. This determination is complex due to the variety of factors that influence the estimate, such as population, growth, economic climate, and the level of diversion of the waste stream. The amount of solid waste imported from outside New Hampshire also has a significant affect on the real volume of capacity, but for the purposes of determining capacity need under RSA 149-M:11 V., the statute specifically states that the projection of waste shall only be for “waste which is generated within the borders of New Hampshire.” (RSA 149-M:11 V.(a))

During the period 1989-2002, there were additions to disposal capacity in the state that approximated disposal volumes. Thus, for that period, supply and demand for disposal capacity were in approximate balance. Although the majority (75 percent) of capacity additions were developed by the private sector, in 2003, the department approved a solid waste permit modification for expansion of the Mount Carberry landfill in Berlin. The Androscoggin Regional Refuse Disposal District purchased the landfill in December of 2002 and increased their tonnage acceptance from 32,500 tons per year to 120,000 tons per year. The department also approved a permit expansion for the North Country Environmental Services landfill in Bethlehem, however, the future of the expansion is currently being considered in the courts.

In-state, permitted disposal capacity is projected to be adequate for residential and commercial solid waste until 2013 [see Figure 2], at which time the state’s major, private landfill located in Rochester, and owned by Waste Management, Inc., will have filled its *currently* permitted capacity. Discussions regarding expansion at the Rochester facility are underway and sufficient land for expansion is available at the site.

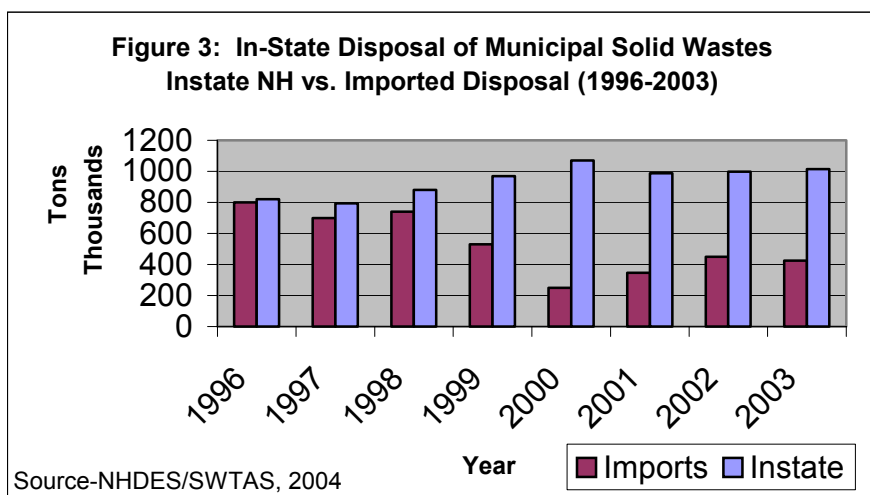


The Department has developed documents and spreadsheets to assist permit applicants in demonstrating a need for capacity in the state. Using this information will allow the department

to evaluate capacity demonstrations in a consistent, approved format. The information may be found at www.des.state.nh.us/swtas.

Because the largest single provider of disposal capacity is the Turnkey Landfill in Rochester, the Department of Environmental Services carefully monitors the status of this facility and its ability to meet permit obligations. In 2002, DES amended Turnkey's permit to ensure disposal capacity for in-state contracts through the year 2012. Other major private providers of disposal capacity include the Trudeau Road landfill in Bethlehem owned by North Country Environmental Services (Casella Waste Systems, Inc.) and the two Wheelabrator waste-to-energy incinerators in Concord and Claremont. Wheelabrator is a subsidiary of Waste Management, Inc. Municipally owned landfill disposal capacity exists in Conway, Lebanon, and Nashua. Additionally, as noted above, the Androscoggin Valley Regional Refuse Disposal District owns the Mt. Carberry landfill in Berlin.

Figure 3 compares New Hampshire's disposal of waste from in-state to waste imported from other nearby states. Imports are and will continue to be an important factor in projecting solid waste disposal capacity, barring significant federal legislation regarding interstate waste shipments. The level of municipal solid waste imports decreased in 2003 to 423,900 tons, which is a 5.6% decrease in tonnage from the previous year. The majority of the imports (95%) were disposed at the Turnkey Landfill in Rochester. Refer to Section E for additional comments on this topic.



D. State and Regional Trends in Solid Waste Management

1. Diversion Strategies

The policy set forth by the Legislature forms the basis of diversion strategies. In order of preference, the solid waste management methods in the statutory hierarchy include: source reduction; recycling and reuse; composting; waste-to-energy technologies (including incineration); incineration without resource recovery; and landfilling. The programs that

implement the hierarchy are detailed in Section F: DES Solid Waste Programs. Additional programs that contribute to these efforts are listed in Appendix III.

2. Recycling Rate

Nearly 99 percent of the state's population, representing 228 of the state's 234 communities, has access to recycling. In most towns, citizens can recycle a variety of materials, but in others, it may be only a few materials. The tonnage of materials reported as being collected for recycling has increased from 40,000 tons in 1990 to 297,900 tons in 2003. The percentage of diversion (including source reduction, recycling and composting) as a whole remained at 27% in 2003 (this figure includes the estimates for source reduction and reuse as provided by the EPA methodology). Although one school of thought would be that source reduction activities, recycling and reuse tend to increase during less favorable economic times, recycling programs are typically cut when town budgets are tight. This is short-sighted, however, as a successful recycling program has the capacity to decrease the volume of waste, and therefore, the cost of disposal.

Many municipalities continue to increase their recycling, while others are not quite as active. Those towns and cities that have embraced recycling have implemented programs that have propelled them to diversion rates higher than their neighbors'. There are many programs that will help to increase recycling and other diversion, but one of the most successful is Pay-As-You-Throw (PAYT). There are 36 NH communities that employ this system, which charges residents a fee to dispose of their solid waste. This system encourages citizens to become waste-conscious consumers. Because recycling is free to residents in PAYT communities, there is a real incentive to separate the recyclables from the remainder of the trash.

3. State Legislative Actions

See Appendix I for a listing of successful and unsuccessful bills from the 2003 and 2004 Legislative Sessions.

E. Congressional Actions and Federal Court Rulings

1. Congressional Actions

Many of the solid waste related bills in the Congress and Senate continue to focus on the issue of interstate transportation and/or the ability of the States to limit excessive imports, however, to date, none of the bills have succeeded. A listing of the bills currently in the federal legislative process is found in Appendix II. Many of them deal with importation/exportation of solid waste. Although New Hampshire is a "net importer" because it takes in more than it sends out, the federal legislation is mainly motivated by the same issue in larger states, such as Pennsylvania, which accepts large amounts of solid waste from out-of-state, including New York. It will take action at the federal level because only Congress can alter the way that the trans-border shipment of solid waste is protected under the Interstate Commerce Clause (ICC) of the United States Constitution.

2. Federal Court Rulings

There are no significant federal court rulings related to solid waste for 2003 or 2004 to date.

F. DES Solid Waste Programs

1. Toxics Reduction

a. Household Hazardous Waste (HHW)

Although household hazardous waste makes up only 2 percent of the volume of solid waste, it contributes over 80 percent of the toxicity of the solid waste stream. In the past thirteen years, the DES Household Hazardous Waste Collection Program has provided more than 470 grants totaling over \$ 2.75 million for HHW collection projects. In 2003 alone, HHW events collected over 650,000 pounds of homeowner-generated hazardous wastes, avoiding perhaps lengthy and unsafe storage and improper disposal. DES funding has also supported the development of permanent HHW collection centers in Keene, Wolfeboro and Nashua. Recent regulatory changes to Chapter 1700 of the Hazardous Waste Rules make the collection and management of household hazardous wastes more convenient, cost-effective and efficient for New Hampshire residents.

b. Toxics in Packaging

In 1990, New Hampshire passed a toxics in packaging law to curb the amount of toxic metals entering the municipal solid waste stream, and ultimately, landfills and incinerators. The law prohibits manufacturers from intentionally introducing lead, mercury, cadmium and hexavalent chromium in packaging and packaging components that are distributed in New Hampshire. Nineteen states, including California just within the past year, have adopted the same model as New Hampshire. Ten of these states, including New Hampshire, work together to ensure consistent application of the law through the Toxics in Packaging Clearinghouse (see Appendix III. for more information on the TPCH).

c. Used Oil Program

Oil is a common groundwater and surface water contaminant. It takes only one pint of oil to produce a one-acre oil slick or one quart to contaminate 250,000 gallons of groundwater. The Department provides grants to encourage recycling and proper disposal of used oil. Since 1995, 235 used oil grants totaling about \$473,453 have benefited 170 towns, and the program has helped to collect approximately 1,410,233 gallons, 1,150,340 of which are “do-it-yourself” used oil.

2. Source Reduction, Reuse, Recycling And Composting

The Waste Management Division works with communities, organizations, and businesses to encourage source reduction, reuse, recycling and composting, all of which divert solid waste from disposal in landfills and incinerators. Staff provide information, technical assistance and planning support to communities, solid waste districts and businesses and work with other state agencies and outside organizations to further common waste diversion goals.

In early 2003, the Department assumed additional recycling related activities previously performed by the Governor's Recycling Program (GRP) within the Office of State Planning and by the Recycling Market Development Specialist, who was employed by the GRP but housed within the Department of Resources and Economic Development. The GRP was discontinued due to budget cuts during FY 2003; recycling market development activities at DRED were discontinued in October 2003. Duties transferred to the DES program included the yearly collection of municipal recycling data and management of the Recycling Listserve.

3. Product Stewardship

Product stewardship means that manufacturers accept responsibility for the end-of-life problems associated with their products. For example, several organizations, including the Product Stewardship Institute, the Northeast Waste Management Officials Association and the Northeast Recycling Council, are participating in a national dialogue with manufacturers to address disposal of electronic products. The *National Electronic Product Stewardship Initiative* (NEPSI) is looking at strategies such as "take back" programs to collect the used products and "design for the environment," which would incorporate source reduction concepts at the manufacturing stage. Since the manufacturers are most able to design their items to complement existing solid waste programs, are better equipped to collect the material, and can more effectively educate consumers, most states have supported a collection infrastructure primarily overseen by industry. DES is involved in this effort and will strive to implement any agreements that result from the discussions. The Product Stewardship Institute, which coordinates the NEPSI process, initiated a Paint Stewardship project in 2004, which should help to reduce the amount of paint at Household Hazardous Waste Collections. Currently, paint is the most voluminous waste at these events.

4. Capacity Planning

In addition to the efforts to divert wastes from disposal methods, the Division collect the data from the annual facility reports, and uses that data to report on the status of solid waste management and to project future capacity needs. This process involves analysis of current generation, diversion and disposal activities in order to determine future solid waste disposal needs for the state. The analysis is also used to project waste generation and growth. A department-approved capacity analysis should assist permit applicants in demonstrating public benefit and streamline the review process by providing a consistent approach to assessing impacts to future capacity.

5. Permitting

DES's permitting process ensures that facilities are sited, designed and built with emphasis on protecting public health and protecting the environment. Toxics reduction and contaminant control are central to permitting requirements, which include setbacks to wetlands and water bodies, and design features such as leachate collection systems that protect groundwater. Air quality is protected by requiring the control of gaseous emissions for large sources of methane and toxics generated from some landfills. Because it is a proactive process, permitting avoids problems using such tools as operation plans to ensure that waste is managed in an environmentally sound manner and that permit storage limitations are not exceeded. Closure plans ensure that, after its useful lifetime, the site will be maintained in a manner that protects the public health and the environment. The Department processed 54 permit applications in 2003, 21 of which were for new solid waste facilities and the remainder (33) for permit modifications.

6. Financial Assurance

The Division requires solid waste facilities to provide and maintain financial assurance for closure and post-closure costs to protect the State's interest and to ensure that adequate funds are available when needed. Municipalities can use a local government financial test to verify their ability to close and maintain their facilities. The objective of financial assurance is to assure that the State does not have to expend resources for closure and/or post-closure. As of June 2004, \$98,518,000 of municipal and private funds have been dedicated for closure and post closure costs for 98 facilities.

7. Compliance

a. Solid Waste Operator Certification

As required by Chapter 227, Laws of 1988, DES developed the Solid Waste Operator Training and Certification Program in 1990 to provide education and training on waste management technology and practices. Through this program, operators are better prepared to keep landfills, incinerators and transfer stations in compliance with applicable laws and administrative rules. To date, about 2,700 operators have successfully completed the program.

b. Inspections

The Solid Waste Compliance Section oversees compliance with permits and closure plans through inspections of solid waste facilities. In addition, the Special Investigations Section follows up on written complaints of the mismanagement of solid and hazardous waste.

8. Asbestos Program

The use of asbestos years ago as clean fill in the municipalities of Nashua and Hudson has left those communities with ongoing concerns about exposure to this carcinogenic material. In cooperation with the community health officers, the division's asbestos program focuses on the identification, inspection, and remediation needs of these asbestos disposal sites to ensure protection of public health and the environment. Currently, the Department tracks approximately 210 asbestos disposal sites.

9. Unlined Landfill And Incinerator Closure Grant Program

The Unlined Municipal Landfill Closure Grant Program established by Chapter 307, Laws of 1993 became effective on July 1, 1995 and was expanded on January 21, 2000 to include 18 municipal incinerators constructed prior to July 1, 1998. The purpose of the program is to reimburse municipalities 20% of the eligible capital costs associated with unlined landfill/incinerator closures. These costs include hydrogeological investigation, engineering design, and construction of closure elements.

Much closure activity has taken place in the past decade and as of July 1, 2004, DES has awarded 119 grants totaling \$27.2 million, with over \$18.1 million in reimbursements paid. DES has also awarded two incinerator grants totaling \$116,069. The remaining 117 grants are for landfill closure. Grant money awarded was much greater in the first few years of the program, due to already completed closures eligible to apply for lump sum reimbursement. Over the last two years, the rate of amortized grant money awarded has been more consistent with the current rate of landfill and incinerator closures.

About 65 active and inactive landfills remain subject to closure requirements. About 30 of these will be allowed to delay closure because of Chapter 108, Laws of 2003, which permits municipalities with populations of 5,000 or less to indefinitely defer the requirements for formal closure through installation of a conventional landfill cap provided the landfill shows, and continues to show, no adverse impact to the environment and the town satisfies the requirements of the statute.

10. New Hampshire Green Yards Initiative

The motor vehicle salvage business is one of the best examples of recycle / reuse industries in the country. The dismantling of vehicles for used parts and fluids and the sale of remaining materials as scrap have gone a long way toward conserving natural resources and reducing the burden on our landfills. Unfortunately, some methods used to dismantle and store salvaged vehicles can result in serious negative impact on the environment. The money and time spent cleaning up problems after they occur is better-spent implementing good environmental business practices that prevent pollution of our air water and soils.

DES initiated the NH Green Yards program in 2003 to provide guidance on improving environmental management practices at motor vehicle salvage facilities in the state. The

two-phase program focuses on education and compliance assistance (Phase I), and uses an environmental self-audit and compliance certification process (Phase II). Phase I included publication of a series of best management practices guidance sheets, presentation of six workshops, distribution of training videos, and a number of on-going related educational efforts. In November 2004, the program held a MVSF Trade Show and Environmental Conference for over 100 people representing 30 salvage facilities.

In addition, there is a voluntary mercury switch collection project whereby motor vehicle salvage facility (MVSF) operators remove mercury-containing switches from end-of-life vehicles before the vehicles are shredded and smelted. To date, about 1,800 switches (approximately five pounds of mercury) have been collected. The mercury will be recycled, free of charge to MVSF owners, by the NH Pollution Prevention Program (NHPPP). The NHPPP is also providing on-site compliance and pollution prevention assistance visits.

During 2005, Phase II will begin following development of administrative rules for self-certification, and publication of a self-certification checklist and workbook. Following distribution of the checklist and workbook, *New Hampshire Green Yards* will provide additional workshops to help MVSF personnel better understand how to complete the self-certification process.

Appendix I: 2003/2004 NH Legislative Sessions

2003 LEGISLATIVE SESSION

Successful Solid Waste Bills

HB 593-FN-LOCAL relative to solid waste facilities in small towns.

Analysis: This bill exempts towns with a population of 5,000 or fewer from cleaning up an inactive public solid waste facility as long as the inactive facility is monitored, the monitoring shows that it has no adverse impact on the environment, and approval of a closure plan has been obtained from the department. A town which complies with these requirements shall not lose its grant funding under RSA 149-M.

Committee: Environment & Agriculture

HB 366 relative to mercury reduction.

Analysis: This bill establishes certain restrictions on the sale, labeling, and disposal of mercury-added products.

Committee: Science, Technology & Energy

Unsuccessful Solid Waste Bills

HB 73 establishing a committee to study imposing a recycling fee on new computer purchases.

Analysis: This bill establishes a committee to study imposing a fee on new computer purchases to offset the costs of recycling discarded computers and computer components.

Committee: Environment & Agriculture

HB 282 relative to granting solid waste management facility permits.

Analysis: This bill places a burden on the applicant for a solid waste management facility permit to prove compliance with local ordinances.

Committee: Municipal & County Government

HB 488 relative to leaf and yard waste.

Analysis: The bill removes the exemption for certain municipalities from the ban on disposing of leaf and yard waste in landfills.

Committee: Municipal & County Government

HB 589-FN-A-LOCAL establishing a tax on purchases of bulk paper stock and establishing a bulk newsprint recycling fund.

Analysis: This bill establishes a solid waste reduction tax of 5 percent on purchases of newsprint paper stock. The tax shall be paid by the purchaser who purchases the newsprint paper for a product to be distributed within the state. This bill also establishes a bulk newsprint recycling fund. Moneys collected under the bulk newsprint tax shall be placed in the fund and distributed annually to municipalities that have recycling programs that include materials printed on newsprint quality paper.

Committee: Ways & Means

HB 599-FN-LOCAL relative to hazardous waste liability.

Analysis: This bill limits municipal liability for hazardous waste.

Committee: Environment & Agriculture

HB 613-FN-LOCAL relative to incineration and air quality.

Analysis: This bill restricts the operation of municipal waste combustors on days declared as air quality action days. Committee: Science, Technology & Energy Committee

HB 743-FN-A establishing a disposal tax on disposable diapers.

Analysis: This bill establishes a disposal tax of \$.01 on each disposable diaper sold at retail in NH. The tax shall be paid by the person purchasing from a manufacturer, wholesaler, seller, supplier, or distributor for sale to a consumer within the state.

Committee: Ways & Means

HB 799-FN-A assessing a surcharge on waste disposed of solid waste landfills and incinerators and making an appropriation therefore.

Analysis: This bill establishes a surcharge assessed on solid waste disposed of at landfills and incinerators. The surcharge shall be collected by DES to be deposited in a special fund and used for grants for eligible waste reduction and management program activities. This bill makes an appropriation for new positions within the department for fiscal years 2004 and 2005.

Committee: Environment & Agriculture

SB 185 relative to reducing mercury in automobiles.

Analysis: This bill establishes restrictions on automobile manufacturers to reduce mercury in automobiles.

Committee: Environment

2004 LEGISLATIVE SESSION

Bills Sent to Interim Study

SB 524 relative to the incineration of construction or demolition debris.

Analysis: This bill prohibits construction or demolition debris incineration within 3 miles of a residence, school, church, park, drinking water supply, or hospital or in an area not zoned for such activity.

Committee: Environment

SB 373-LOCAL relative to the disposal of mercury-added products.

Analysis: This bill prohibits the disposal of mercury-added products after January 1, 2006.

Committee: Interstate Cooperation

HB 1421-FN relative to solid waste incineration.

Analysis: This bill: 1) requires an investigation by DES prior to issuing a permit to discharge pollutants into the air; 2) requires the use of best available technology; 3) restricts incinerators from operating within 5 miles of any residence, church, school, park, drinking water source, or hospital.

Committee: Science, Technology & Energy

Bills Laid on Table

SB 468 relative to solid waste management.

Analysis: This bill requires DES to defer to a municipality's opposition to a solid waste facility, absent a compelling reason to override the municipality's opposition.

Appendix II: Current Federal Legislation Relative to Solid Waste

S.431 A bill to amend the Solid Waste Disposal Act to impose certain limits on the receipt of out-of-State municipal solid waste.

Sponsor: [Sen Voinovich, George V.](#) [OH] (introduced 2/24/2003) [Cosponsors](#) (1)

Latest Major Action: 2/24/2003 Referred to Senate committee. Status: Read twice and referred to the Committee on Environment and Public Works.

H.R.4940 To amend the Solid Waste Disposal Act to authorize local governments and Governors to restrict receipt of out-of-State and foreign municipal solid waste, to direct the Administrator of the Environmental Protection Agency to carry out certain authorities under an agreement with Canada respecting the importation of municipal solid waste, and for other purposes.

Sponsor: [Rep Gillmor, Paul E.](#) [OH-5] (introduced 7/22/2004) [Cosponsors](#) (28)

Latest Major Action: 9/23/2004 House committee/subcommittee actions. Status: Ordered to be Reported (Amended) by the Yeas and Nays: 12 - 4.

H.R.1123 To authorize States to regulate the receipt and disposal of out-of-State municipal solid waste.

Sponsor: [Rep Davis, Jo Ann](#) [VA-1] (introduced 3/6/2003) [Cosponsors](#) (9)

Latest Major Action: 3/17/2003 Referred to House subcommittee. Status: Referred to the Subcommittee on Environment and Hazardous Materials.

H.R.1730 To impose certain limitations on the receipt of out-of-state municipal solid waste, and for other purposes.

Sponsor: [Rep Greenwood, James C.](#) [PA-8] (introduced 4/10/2003) [Cosponsors](#) (21)

Latest Major Action: 7/23/2003 House committee/subcommittee actions. Status: Com. Hearings Held.

S.383 A bill to amend the Solid Waste Disposal Act to prohibit the importation of Canadian municipal solid waste without State consent.

Sponsor: [Sen Stabenow, Debbie](#) [MI] (introduced 2/12/2003) [Cosponsors](#) (None)

Latest Major Action: 2/12/2003 Referred to Senate committee. Status: Read twice and referred to the Committee on Environment and Public Works.

H.R.2581 To authorize State and local governments to petition the Administrator of the Environmental Protection Agency for enforcement of certain violations of the Solid Waste Disposal Act, and to require the establishment of a manifest system for the interstate transportation of solid waste.

Sponsor: [Rep Davis, Jo Ann](#) [VA-1] (introduced 6/24/2003) [Cosponsors](#) (4)

Latest Major Action: 7/1/2003 Referred to House subcommittee. Status: Referred to the Subcommittee on Environment and Hazardous Materials.

H.R.382 To authorize States to prohibit or impose certain limitations on the receipt of foreign municipal solid waste, and for other purposes.

Sponsor: [Rep Rogers, Mike](#) [MI-8] (introduced 1/27/2003) [Cosponsors](#) (12)
Latest Major Action: 7/23/2003 House committee/subcommittee actions. Status: Com. Hearings Held.

H.R.418 To authorize certain States to prohibit the importation of solid waste from other States, and for other purposes.

Sponsor: [Rep Kanjorski, Paul E.](#) [PA-11] (introduced 1/28/2003) [Cosponsors](#) (None)
Latest Major Action: 2/14/2003 Referred to House subcommittee. Status: Referred to the Subcommittee on Environment and Hazardous Materials.

S.199 A bill to amend the Solid Waste Disposal Act to authorize the Administrator of the Environmental Protection Agency to carry out certain authorities relating to the importation of municipal solid waste under the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada.

Sponsor: [Sen Levin, Carl](#) [MI] (introduced 1/21/2003) [Cosponsors](#) (1)
Latest Major Action: 1/21/2003 Referred to Senate committee. Status: Read twice and referred to the Committee on Environment and Public Works.

S.359 A bill to amend the Internal Revenue Code of 1986 to modify the credit for the production of electricity to include electricity produced from municipal solid waste.

Sponsor: [Sen Lincoln, Blanche](#) [AR] (introduced 2/11/2003) [Cosponsors](#) (5)
Latest Major Action: 2/11/2003 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

H.R.411 To direct the Administrator of the Environmental Protection Agency to carry out certain authorities under an agreement with Canada respecting the importation of municipal solid waste, and for other purposes.

Sponsor: [Rep Dingell, John D.](#) [MI-15] (introduced 1/28/2003) [Cosponsors](#) (5)
Latest Major Action: 7/23/2003 House committee/subcommittee actions. Status: Com. Hearings Held.

H.R.2827 To phase out the incineration of solid waste, and for other purposes.

Sponsor: [Rep Andrews, Robert E.](#) [NJ-1] (introduced 7/23/2003) [Cosponsors](#) (None)
Latest Major Action: 8/8/2003 Referred to House subcommittee. Status: Referred to the Subcommittee on Environment and Hazardous Materials.

S.484 A bill to amend the Clean Air Act to establish requirements concerning the operation of fossil fuel-fired electric utility steam generating units, commercial and industrial boiler units, solid waste incineration units, medical waste incinerators, hazardous waste combustors, chlor-alkali plants, and Portland cement plants to reduce emissions of mercury to the environment, and for other purposes.

Sponsor: [Sen Leahy, Patrick J.](#) [VT] (introduced 2/27/2003) [Cosponsors](#) (1)
Latest Major Action: 2/27/2003 Referred to Senate committee. Status: Read twice and referred to the Committee on Environment and Public Works.

S.616 A bill to amend the Solid Waste Disposal Act to reduce the quantity of mercury in the environment by limiting the use of mercury fever thermometers and improving the collection and proper management of mercury, and for other purposes.

Sponsor: [Sen Collins, Susan M.](#) [ME] (introduced 3/13/2003) [Cosponsors](#) (10)

Latest Major Action: 11/18/2003 Placed on Senate Legislative Calendar under General Orders. Calendar No. 398.

Senate Reports: [108-199](#)

S.1867 A bill to amend the Solid Waste Disposal Act to encourage greater recycling of certain beverage containers through the use of deposit refund incentives.

Sponsor: [Sen Jeffords, James M.](#) [VT] (introduced 11/14/2003) [Cosponsors](#) (5)

Latest Major Action: 11/14/2003 Referred to Senate committee. Status: Read twice and referred to the Committee on Environment and Public Works.

H.R.4260 To provide for the reduction of mercury in the environment.

Sponsor: [Rep Baldwin, Tammy](#) [WI-2] (introduced 5/4/2004) [Cosponsors](#) (17)

Latest Major Action: 5/6/2004 Referred to House subcommittee. Status: Referred to the Subcommittee on Environment and Hazardous Materials.

Appendix III: Other Organizations Involved in Solid Waste Issues

STATE/LOCAL ORGANIZATIONS

UNH Cooperative Extension

Address: Grafton County UNH Cooperative Extension, RR 1 Box 65 F
North Haverhill, NH 03774-9708
Telephone: 603-787-6944
Contact: Thomas E. Buob, Ext. Educator
E-mail: tom.buob@unh.edu

Typically, the Cooperative Extension has identified and initiated projects in specific areas, rather than committing dedicated staff to an ongoing program in recycling. In 1990-91, for example, Cooperative Extension developed a kindergarten through twelfth grade educational curriculum on source reduction and recycling for statewide distribution, while in 1992-94, Cooperative Extension took a leadership role promoting municipal leaf and yard waste composting and source separated food waste composting in New Hampshire. Additionally, the Cooperative Extension has worked with DES and New Hampshire industry in the Wood Ash Program.

Wastecap Resource Conservation Program, NH Business And Industry Association

Address: 122 North Main Street
Concord, NH 03301
Telephone: (603) 224-1517
Contact: Mark Toussaint, Executive Director
Web Site: www.wastecapnh.org

WasteCap Resource Conservation Network (WasteCap ReCoN) provides a business-to-business approach for companies to recognize and act upon opportunities for resource conservation, including waste reduction, energy efficiency, water conservation, and pollution prevention. The program's website provides technical assistance leads, the New Hampshire Materials Exchange (also available in the program's newsletter), information on water conservation and links to many other sites for assistance. WasteCap offers a range of educational opportunities for the business community, including conferences, workshops, and an environmental management system collaborative. The program also offers site visits and recognition to businesses through its Waste(NOT!) Challenge environmental management criteria.

New Hampshire the Beautiful

Address: 95B Main Street
Littleton, NH 03561
Telephone: 1-888-784-4442 Toll-Free in NH, (603) 444-9812
Contact: Margaret Seymour, Executive Director
E-mail: nhtb@ncia.net

New Hampshire the Beautiful, Inc. (NHtB) is a non-profit Charitable Trust established in 1983 and voluntarily funded by the soft drink distributors and bottlers, retail grocers, and the malt beverage industry. NHtB administers a recycling equipment grants program, and provides free technical assistance and professionally made signs for municipal recycling facilities. NHtB's litter program, Litter-Free New Hampshire, provides the blue plastic trash bags to communities and Adopt-a-Highway groups and rewards communities that participate in cleanup efforts.

REGIONAL and NATIONAL ORGANIZATIONS

Northeast Resource Recovery Association

Address: PO Box 721
Concord, NH 03302-0721
Telephone: 603) 798-5777
Contact: Elizabeth Bedard, Executive Director
Web Site: www.recyclewithus.org
E-mail: nrra@tds.net

Founded in 1981 as a private, non-profit organization, the Northeast Resource Recovery Association (NRRA) provides technical, educational, and marketing support to New Hampshire municipal recycling programs. NRRA provides marketing and brokerage services for municipalities in New Hampshire, Massachusetts, Maine and Vermont. This cooperative approach combines materials from many communities to gain economies of scale in transportation, and offering access to markets which would typically be denied to individual small communities. NRRA also provides extensive outreach and technical assistance to its member communities designed to strengthen and expand municipal recycling activities.

Northeast Waste Management Officials' Association (NEWMOA)

Address: 129 Portland Street, 6th Floor
Boston, MA 02114
Telephone: (617) 367-8558
Contact: William Cass, Executive Director, ext. 301 or wcass@newmoa.org
Web Site: www.newmoa.org

NEWMOA is a nonprofit, nonpartisan, interstate association established in 1986 by the governors of the New England states as an official interstate regional organization. The membership is composed of state environmental agency directors of the hazardous waste, solid waste, waste site cleanup, pollution prevention and underground storage tank programs in Connecticut, Maine, Massachusetts, New Hampshire, New York, New Jersey, Rhode Island, and Vermont. NEWMOA's mission is to help states articulate, promote, and implement economically sound regional programs for the enhancement of environmental protection. The group fulfills this mission by providing a variety of support services that facilitate communication and cooperation among member states and between the states and EPA, and promote the efficient sharing of state and federal program resources.

Northeast Recycling Council (NERC)

Address: 139 Main Street, Suite 401
Brattleboro, VT 05301
Telephone: (802) 254-3636
Contact: Lynn Rubinstein, Executive Director, lynn@nerc.org
Web Site: www.nerc.org

The Northeast Recycling Council provides technical assistance, information access, research, and networking opportunities on recycling market development for state and regional programs in the six New England states as well as New York, New Jersey, Pennsylvania and Delaware. In addition to providing a forum for the exchange of information between states and state agencies, NERC undertakes research and education projects that address regional recycling, market development and waste management issues. DES is a member of NERC.

Association of State and Territorial Solid Waste Management Officials (ASTSWMO)

Address: 444 North Capitol Street, NW, Suite 305
Washington, DC 20001
Telephone: (202) 624-5828, Fax (202) 624-7875
Contact: Thomas Kennedy, Executive Director
Web Site: www.astswmo.org

The Association of State and Territorial Solid Waste Management Officials (ASTSWMO) supports the environmental agencies of the States and trust territories. ASTSWMO focuses on the needs of State hazardous waste programs; non-hazardous municipal solid waste and industrial waste programs; recycling, waste minimization, and reduction programs; Superfund and State cleanup programs; waste management and cleanup activities at federal facilities, and underground storage tank and leaking underground storage tank programs. The Association's mission is: *"To Enhance and Promote Effective State and Territorial Waste Management Programs, and Affect National Waste Management Policies."* The organization is structured to accomplish this two-part mission through both member committees and Association staff efforts.

Toxics In Packaging Clearinghouse (TPCH)

Address: Toxics in Packaging Clearinghouse c/o NERC
139 Main Street, Suite 401, Brattleboro, VT 05301
Telephone: (802) 254-3636
Contact: Patty Dillon, TPCH Program Manager (info@toxicsinpackaging.org)
Web Site: www.toxicsinpackaging.org

In 1990, New Hampshire was the second state in the nation to adopt the Toxics in Packaging model legislation developed by the Coalition of Northeastern Governors (CONEG). Nineteen states have adopted a toxics in packaging law based on the CONEG model and the model has been used internationally. To ensure consistent and effective implementation of the laws, the Toxics in Packaging Clearinghouse (TPCH) was created in 1992 to: simplify the law's administrative procedures; promote cooperation and information sharing between participating states; minimize procedural burdens on affected industries; and promote understanding and greater awareness of the law's objectives. The TPCH is assisted in its mission by technical advisers from representatives of industry and public interest organizations.

Appendix IV: Status of the Recycling Market Development Steering Committee

The Recycling Market Development Steering Committee was established by Chapter 151, Laws of 1995, to “promote the establishment and expansion of recycling related industries and companies in New Hampshire.” Its duties, as specified in the legislation, include:

1. Advocating and securing funding for recycling market development.
2. Facilitating close communication and interaction between the state’s recycling and economic development agencies and other involved organizations.
3. Providing continuity to the State’s recycling market development efforts by reviewing and revising market development priorities, evaluating the impact of market development initiatives, and recommending new directions for market development efforts.

The Steering Committee was formed as a direct result of work completed between 1993 and 1995 by a task force established by the legislature on recycling market development. This task force made four primary recommendations to the Governor and Legislature in its final report (January 1995):

1. Establish a full-time, permanent professional position for a recycling market development specialist;
2. Establish a permanent recycling market development steering committee;
3. Take immediate steps to more aggressively support and promote existing recycling-related businesses in New Hampshire; and
4. Maintain and expand the state’s commitment to purchasing products with recycled content.

The legislation establishing the Steering Committee fulfilled Recommendation No. 2 of the task force. A position was established at the Department of Resources and Economic Development (DRED) in 1996 to fulfill Recommendation No. 1. In 1996 and 1997, the position was funded through a federal grant *Jobs Through Recycling*, but in 1998, the position became funded by general funds. The position was discontinued in October 2003 due to budget cuts.

RSA 149-O:5 imposes an annual reporting requirement on the Recycling Market Development Steering Committee.